

#34
mg
08/21/01
RECEIVED

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE AUGUST 14, 2001

In re application of:

Gerard *et al.*

Appl. No. 09/064,057

Filed: April 22, 1998

For: **Compositions and Methods for
Reverse Transcription of Nucleic
Acid Molecules**

Confirmation No.

TECH CENTER 1600/2900

Art Unit: 1652

Examiner: Monshipouri, M.

Atty. Docket: 0942.4330002/RWE



Petition For Extension of Time Under 37 C.F.R. § 1.136(a)(1)

Commissioner for Patents

Box CPA

Washington, D.C. 20231

Sir:

It is hereby requested that the period for filing a further reply after filing notice of appeal on February 28, 2001, be extended four months from April 28, 2001 to August 28, 2001, by the filing of this Petition and fee payment.

The petition fee (37 C.F.R. § 1.17(a)) is believed to be \$1,390.00 for a four-month extension for a large entity. Fee payment is provided in our accompanying Check No. 32213. However, if extensions of time under 37 C.F.R. § 1.136 other than those provided herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this Petition is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Robert W. Esmond
Attorney for Applicants
Registration No. 32,893

08/15/2001 SLUANG1 00000031 09064057

03 FC:118

1390.00 OP

Date: August 14, 2001

1100 New York Avenue, N.W.
Suite 600
Washington, D.C. 20005-3934
(202) 371-2600

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2001		Complete if Known <i>RECEIVED</i> PTO AUG 14 2001 1652 0942.4330002/PW 08/14/2001 1652 0942.4330002/PW 08/14/2001	
<i>O I P E S C Y C L I C</i> <i>PATENT & TRADEMARK OFFICE</i> <i>AUG 14 2001</i>			
Patent fees are subject to annual revision.			
TOTAL AMOUNT OF PAYMENT		(\$2,208.00)	

METHOD OF PAYMENT (check one)		FEES CALCULATION (continued)																																																																																																																																																																																																																																																			
1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to: Deposit Account Number 19-0036 Deposit Account Name Sterne, Kessler, Goldstein & Fox P.L.L.C. <input type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17 <input type="checkbox"/> Applicant claims small entity status See 37 CFR 1.27		3. ADDITIONAL FEES <table border="1"> <thead> <tr> <th>Large Entity Fee Code</th> <th>Fee (\$)</th> <th>Small Entity Fee Code</th> <th>Fee (\$)</th> <th>Fee Description</th> <th>Fee paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for ex parte reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>116</td><td>390</td><td>216</td><td>195</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>117</td><td>890</td><td>217</td><td>445</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>118</td><td>1,390</td><td>218</td><td>695</td><td>Extension for reply within fourth month</td><td>1,390</td></tr> <tr><td>128</td><td>1,890</td><td>228</td><td>945</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>310</td><td>219</td><td>155</td><td>Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>310</td><td>220</td><td>155</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>270</td><td>221</td><td>135</td><td>Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr> <tr><td>141</td><td>1,240</td><td>241</td><td>620</td><td>Petition to revive - unintentional</td><td></td></tr> <tr><td>142</td><td>1,240</td><td>242</td><td>620</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>143</td><td>440</td><td>243</td><td>220</td><td>Design issue fee</td><td></td></tr> <tr><td>144</td><td>600</td><td>244</td><td>300</td><td>Plant issue fee</td><td></td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>123</td><td>130</td><td>123</td><td>130</td><td>Petitions related to provisional applications</td><td></td></tr> <tr><td>126</td><td>180</td><td>126</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>Total Claims</td><td>26</td><td>- 20**</td><td>= 6</td><td>X 18 = 108</td><td></td></tr> <tr><td>Indep. Claims</td><td>1</td><td>- 3**</td><td>= 0</td><td>X _____ = _____</td><td></td></tr> <tr><td>Multiple Dependent</td><td>_____</td><td>_____</td><td>_____</td><td>= _____</td><td></td></tr> <tr> <td>2. EXTRA CLAIM FEES</td> <td>Extra</td> <td>Fee from below</td> <td>Fee Paid</td> <td colspan="2"></td> </tr> <tr> <td>Total Claims</td> <td>26</td> <td>- 20**</td> <td>= 6</td> <td>X 18 = 108</td> <td></td> </tr> <tr> <td>Indep. Claims</td> <td>1</td> <td>- 3**</td> <td>= 0</td> <td>X _____ = _____</td> <td></td> </tr> <tr> <td>Multiple Dependent</td> <td>_____</td> <td>_____</td> <td>_____</td> <td>= _____</td> <td></td> </tr> <tr> <td>Large Entity Fee Code</td> <td>Fee (\$)</td> <td>Small Entity Fee Code</td> <td>Fee (\$)</td> <td>Fee Description</td> <td></td> </tr> <tr><td>103</td><td>18</td><td>203</td><td>9</td><td>Claims in excess of 20</td><td></td></tr> <tr><td>102</td><td>80</td><td>202</td><td>40</td><td>Independent claims in excess of 3</td><td></td></tr> <tr><td>104</td><td>270</td><td>204</td><td>135</td><td>Multiple dependent claim</td><td></td></tr> <tr><td>108</td><td>80</td><td>209</td><td>40</td><td>**Reissue independent claims over original patent</td><td></td></tr> <tr><td>110</td><td>18</td><td>210</td><td>9</td><td>**Reissue claims in excess of 20 and over original patent</td><td></td></tr> <tr><td colspan="6">SUBTOTAL (2) (\$ 108.00)</td></tr> <tr> <td colspan="6">** or number previously paid, if greater; For Reissues, see above</td> </tr> <tr> <td colspan="6" style="text-align: right;">Subtotal (3) (\$ 1,390.00)</td> </tr> </tbody> </table>				Large Entity Fee Code	Fee (\$)	Small Entity Fee Code	Fee (\$)	Fee Description	Fee paid	105	130	205	65	Surcharge - late filing fee or oath		127	50	227	25	Surcharge - late provisional filing fee or cover sheet		139	130	139	130	Non-English specification		147	2,520	147	2,520	For filing a request for ex parte reexamination		112	920*	112	920*	Requesting publication of SIR prior to Examiner action		113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action		115	110	215	55	Extension for reply within first month		116	390	216	195	Extension for reply within second month		117	890	217	445	Extension for reply within third month		118	1,390	218	695	Extension for reply within fourth month	1,390	128	1,890	228	945	Extension for reply within fifth month		119	310	219	155	Notice of Appeal		120	310	220	155	Filing a brief in support of an appeal		121	270	221	135	Request for oral hearing		138	1,510	138	1,510	Petition to institute a public use proceeding		140	110	240	55	Petition to revive - unavoidable		141	1,240	241	620	Petition to revive - unintentional		142	1,240	242	620	Utility issue fee (or reissue)		143	440	243	220	Design issue fee		144	600	244	300	Plant issue fee		122	130	122	130	Petitions to the Commissioner		123	130	123	130	Petitions related to provisional applications		126	180	126	180	Submission of Information Disclosure Stmt		Total Claims	26	- 20**	= 6	X 18 = 108		Indep. Claims	1	- 3**	= 0	X _____ = _____		Multiple Dependent	_____	_____	_____	= _____		2. EXTRA CLAIM FEES	Extra	Fee from below	Fee Paid			Total Claims	26	- 20**	= 6	X 18 = 108		Indep. Claims	1	- 3**	= 0	X _____ = _____		Multiple Dependent	_____	_____	_____	= _____		Large Entity Fee Code	Fee (\$)	Small Entity Fee Code	Fee (\$)	Fee Description		103	18	203	9	Claims in excess of 20		102	80	202	40	Independent claims in excess of 3		104	270	204	135	Multiple dependent claim		108	80	209	40	**Reissue independent claims over original patent		110	18	210	9	**Reissue claims in excess of 20 and over original patent		SUBTOTAL (2) (\$ 108.00)						** or number previously paid, if greater; For Reissues, see above						Subtotal (3) (\$ 1,390.00)					
Large Entity Fee Code	Fee (\$)	Small Entity Fee Code	Fee (\$)	Fee Description	Fee paid																																																																																																																																																																																																																																																
105	130	205	65	Surcharge - late filing fee or oath																																																																																																																																																																																																																																																	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet																																																																																																																																																																																																																																																	
139	130	139	130	Non-English specification																																																																																																																																																																																																																																																	
147	2,520	147	2,520	For filing a request for ex parte reexamination																																																																																																																																																																																																																																																	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action																																																																																																																																																																																																																																																	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action																																																																																																																																																																																																																																																	
115	110	215	55	Extension for reply within first month																																																																																																																																																																																																																																																	
116	390	216	195	Extension for reply within second month																																																																																																																																																																																																																																																	
117	890	217	445	Extension for reply within third month																																																																																																																																																																																																																																																	
118	1,390	218	695	Extension for reply within fourth month	1,390																																																																																																																																																																																																																																																
128	1,890	228	945	Extension for reply within fifth month																																																																																																																																																																																																																																																	
119	310	219	155	Notice of Appeal																																																																																																																																																																																																																																																	
120	310	220	155	Filing a brief in support of an appeal																																																																																																																																																																																																																																																	
121	270	221	135	Request for oral hearing																																																																																																																																																																																																																																																	
138	1,510	138	1,510	Petition to institute a public use proceeding																																																																																																																																																																																																																																																	
140	110	240	55	Petition to revive - unavoidable																																																																																																																																																																																																																																																	
141	1,240	241	620	Petition to revive - unintentional																																																																																																																																																																																																																																																	
142	1,240	242	620	Utility issue fee (or reissue)																																																																																																																																																																																																																																																	
143	440	243	220	Design issue fee																																																																																																																																																																																																																																																	
144	600	244	300	Plant issue fee																																																																																																																																																																																																																																																	
122	130	122	130	Petitions to the Commissioner																																																																																																																																																																																																																																																	
123	130	123	130	Petitions related to provisional applications																																																																																																																																																																																																																																																	
126	180	126	180	Submission of Information Disclosure Stmt																																																																																																																																																																																																																																																	
Total Claims	26	- 20**	= 6	X 18 = 108																																																																																																																																																																																																																																																	
Indep. Claims	1	- 3**	= 0	X _____ = _____																																																																																																																																																																																																																																																	
Multiple Dependent	_____	_____	_____	= _____																																																																																																																																																																																																																																																	
2. EXTRA CLAIM FEES	Extra	Fee from below	Fee Paid																																																																																																																																																																																																																																																		
Total Claims	26	- 20**	= 6	X 18 = 108																																																																																																																																																																																																																																																	
Indep. Claims	1	- 3**	= 0	X _____ = _____																																																																																																																																																																																																																																																	
Multiple Dependent	_____	_____	_____	= _____																																																																																																																																																																																																																																																	
Large Entity Fee Code	Fee (\$)	Small Entity Fee Code	Fee (\$)	Fee Description																																																																																																																																																																																																																																																	
103	18	203	9	Claims in excess of 20																																																																																																																																																																																																																																																	
102	80	202	40	Independent claims in excess of 3																																																																																																																																																																																																																																																	
104	270	204	135	Multiple dependent claim																																																																																																																																																																																																																																																	
108	80	209	40	**Reissue independent claims over original patent																																																																																																																																																																																																																																																	
110	18	210	9	**Reissue claims in excess of 20 and over original patent																																																																																																																																																																																																																																																	
SUBTOTAL (2) (\$ 108.00)																																																																																																																																																																																																																																																					
** or number previously paid, if greater; For Reissues, see above																																																																																																																																																																																																																																																					
Subtotal (3) (\$ 1,390.00)																																																																																																																																																																																																																																																					

SUBMITTED BY		Complete (if applicable)			
Name (Print/Type)	Robert W. Esmond	Registration No. (Attorney/Agent)	32,893	Telephone	202-371-2600
Signature	<i>Robert W. Esmond</i>			Date	08/14/2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.
 SKGf Rev. 11/13/00 mmac